Serving Reserves and Civilian Employers

Preparing for Activation

Topics/Agenda

- Organization
- Vision & Mission Statement
- USERRA
- Employer Outreach
- Statement of Support
- Military Outreach
- Ombudsmen
- Employment Initiative Program
- Awards
- CEI Data

Organization

- Established in 1972
- 55 Field Committees inclusive, Territories, and District of Columbia (2-star level protocol)
- 4,800 volunteers
- 58 Full-time military & civilian
- 195 Military/Civilian/Contractors support in the field
- 4 Reserve Component Liaisons
- **Uniformed Services Employment and Reemployment Rights Act (USERRA) expert; Ombudsman**
- **Primary role to inform and educate**

Vision & Mission Statement

- Vision
  - Develop and promote a culture in which all American employers support and value the military service of their employees.
- Mission Statement

  - Gain and maintain employer support for Guard and Reserve service by
    - recognizing outstanding support
    - increasing awareness of the law
    - resolving conflict through mediation

Uniformed Service Employment & Reemployment Rights Act (USERRA)

- **Primary purpose: Protect employment rights of persons who also serve in the uniformed service.**
- **Provide prior notice to employer**
- **Serve under honorable conditions**
- **Return to work in accordance with USERRA guidelines**

  That is:

  protect employees who engage in military service

  to the same level of seniority, status, pay and benefits that would have accrued, but for the service.

USERRA Employer Requirements

- **Military obligations cannot be used as a motivating factor not to hire, promote, or deny a pay raise**
  - **Military leave of absence**
  - **Prompt reinstatement of employee**
  - **Restore seniority**
  - **Reinstate employment benefits**
  - **Training or refreshing of skills**
  - **No discrimination or retaliation**

Top USERRA Violations

- Termination
- Discrimination
- Job Placement
- Pay Rate
- Work Schedule

How Does ESGR Work

- Three types of responsibilities
  - Employer Outreach
  - Military Outreach
  - Ombudsmen

Employer Outreach

- **Educate Employers about their rights and responsibilities under USERRA**
- **Encourage Employers to develop HR policies that go above and beyond the law**
- **Contact employers for participa in the Statement of Support pr**
- **Initiate and manage employer**
- **Recognize employers who meet go beyond the law through awards**

SoS Employers Agree:

- **We fully recognize, honor and enforce the Uniformed Services Employment and Reemployment Rights Act (USERRA)**
- **Our managers and supervisors will have the tools they need to effectively manage those employees who serve in the Guard and Reserve**
- **We will continually recognize and support our country's service members and their families in peace, in crises, and in war**

STATEMENT OF SUPPORT
FOR THE GUARD AND RESERVE

★★★★★

Career Training Concepts, Inc.

We recognize the National Guard and Reserve are essential to the strength of our nation and the well-being of our communities.

In the highest American tradition, the patriotic men and women of the Guard and Reserve serve voluntarily in an honorable and vital profession. They train to respond to their community and their country in time of need. They deserve the support of every segment of our society.

If these volunteer forces are to continue to serve our nation, increased public understanding is required of the essential role of the Guard and Reserve in preserving our national security.

Therefore, we join other employers in pledging that:

1. Employment will not be denied because of service in the Guard or Reserve;
2. Employee job and career opportunities will not be limited or reduced because of service in the Guard and Reserve;
3. Employees will be granted leaves of absence for military service in the Guard and Reserve, consistent with existing laws; and
4. This agreement and its resultant policies will be made known throughout our organization.

Employer

JAMES C. SHAFE
Print Name

SEPTEMBER 11, 2007
Date

Chairman
National Committee for Employer Support of the Guard and Reserve

EMPLOYER SUPPORT OF THE GUARD AND RESERVE

Secretary of Defense

Military Outreach

- **Brief service members on USERRA & ESGR, particularly just prior and just after deployment**
- **Gain & maintain relationships with area reserve leaders and units**
- **Send direct mail on USERRA / ESGR to reserve Service members**
- **Encourage SOS signings among military leadership**
- **Engage recruiters**
- **Work with public affairs to place information in military/civilian publications, web-sites and newsletters**

Ombudsmen

- **Assist Service members and employers resolve USERRA employment related problems**
  - **Are confidential, neutral participants in all efforts**
  - **Provide information and answer questions**
  - **Serve as a mediator on USERRA issues between Service members & employers**
  - **Resolve over 80% of cases received, most within 14 days**
  - **Are qualified by National ESGR after intensive training**

Service Member Responsibilities

- **Have left a civilian job for military obligations**
- **Provide advance notice to employer of military service (preferably in writing)**
- **If on extended active duty, received a qualifying military separation (served honorably)**
- **Timely notice to return to work**

Service	Return to Work Within
1-30 days	next shift after 8 hours of rest
31-180 days	14 days
181 + days	90 days

To Help You Return

- **Know the law – your part and your employer's**
- **Communicate:**
  - **Notify supervisor and HR, in writing, on plans to leave and return**
  - **Keep in touch with employer while gone**
  - **Check in when you return, letting them know how long you will be remaining on orders**
- **Appreciate:**
  - **Show appreciation for what they do for you, even if a behavior is required by law**
  - **If employer/manager is supportive, put them in for Patriot Award**
  - **Be flexible on things that don't matter when returning**

Frequently Asked Questions

- Does USERRA protect Reserve Service members if service was voluntary or weekend drills?
- Are Reserve Service members required to provide written orders for military duty?
- Does the Reserve Service member have to find a replacement for their absence on military duty?
- Does the Reserve Service member have to use vacation time for military service?

Employment Initiative Program EIP

- EIP is a work in progress.
- Unemployment can effect readiness.
- Unprecedented levels of service members unemployment and under-employment.
- Department of Defense has tasked ESGR to set and engage in activities to assist service members and Family members opportunities in the civilian workplace.

Awards

- **Employer Recognition Awards are initiated by Reserve Component Members' or family members'.**
- **Patriot Award**-First of sequential and progressive employer awards program.
  - Http://www.marine.mil/unit/marforress/Stay/ESGR.aspx
  - Http://www.esgr.mil
- **Above and Beyond**
- **Pro Patria**
- **Seven Seals**
- **Freedom Award-** Annually **a**warded by the Secretary of Defense; Top 15 in the nation (1Nov-3rd Monday Jan)

Civilian Employment Information CEI

- MARADMIN 678/10 Reporting Procedures in Marine Corps Total Force System (MCTFS).
- Reserve service members required to update annually
- Critical data for Department of Defense and ESGR employment outreach

Operational Reserve

- Marine Reserve on hand 39,600
- Reserve on repeated deployments
- Reserve is nearly half of total military
- Reserve currently serving in 14 countries
- 950,000 Guard & Reserve members have served on active duty since 9/11/01
- USERRA cases open 3200 plus (FY10)

Thank You!

RJ “TOBY” TOBIN
Reserve Component Liaison
504 697-8198
Robert.j.Tobin.ctr@usmc.mil

http://www.Marines.Mil/Unit/Marforres/Stay/ESGR.aspx

WE ALL SERVE
Stihl Chief Executive signs Statement of Support, with VA RC member, employees, and VA Chair.
ARMY NATIONAL GUARD ★ ARMY RESERVE ★ NAVY RESERVE ★ MARINE RESERVE
COAST GUARD RESERVE ★ AIR NATIONAL GUARD ★ AIR FORCE RESERVE
We all serve. Whether serving our communities or our country, members of the National Guard and Reserve depend on their military units, families, and employers for support. Employer Support of the Guard and Reserve is a Department of Defense agency that seeks to promote a culture in which all American employers support and value the military service of their employees by recognizing outstanding support, increasing awareness of the law and resolving conflict through mediation.
ESGR
EMPLOYER SUPPORT OF THE GUARD AND RESERVE
1555 WILSON BOULEVARD, STE 319, ARLINGTON, VA 22209 ★ 1-800-336-4590 ★ WWW.ESGR.MIL